

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Manfred Bohn et al.

Serial No. 09/077,194

Filing Date: May 26, 1998

USE OF 1-HYDROXY-2-PYRIDONES
FOR THE TREATMENT OF
SEBORRHEIC DERMATITIS

DECLARATION OF STEVE BRADFORD

I, Steve Bradford, do hereby declare that:

1. I am Director of Marketing for Medicis Pharmaceutical Corporation ("Medicis"), a licensee under the above-identified patent application.
2. The attached spreadsheet reflects the new prescriptions (NRx) and total prescriptions (TRx) in thousands by the month for Loprox® Shampoo, its closest competitors and the market for a seborrheic dermatitis shampoo.
3. The percentages in the spreadsheet reflect the change as compared to the same month of the previous year.
4. I understand that Loprox® shampoo would be covered by several of the pending claims in the above-identified patent application.
5. As reflected on the attached spreadsheet, Loprox® Shampoo is a very successful product.
6. The total prescriptions per month in the market has remained approximately the same (about 240,000 prescriptions/month, see last row of the spreadsheet), but Loprox® Shampoo has been taking an increasing percentage of the market (in December 2004, 37,000 prescriptions).

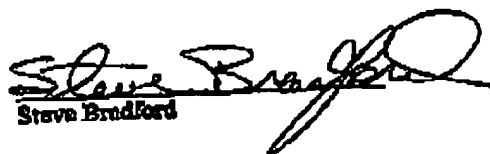
Feb-21-2005 02:19pm From-

Feb-17-2005 10:30am Proc-

T-450 P.004/006 F-428
T-412 P.003/003 F-391

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and any registration resulting therefrom.

Date: Feb 18, 2005


Steve Bradford

12-Month Rolling Prescription Report

% change refers to Month '04 vs same Month '03

LOPROX SHAMPOO NPA												
	Dec '03	Jan '04	Feb '04	Mar '04	April '04	May '04	June '04	July '04	Aug '04	Sep '04	Oct '04	Nov '04
LOPROX NPA	21	21	21	24	22	21	22	21	22	21	22	23
% Chg					-23.0%	-63.0%	-36.0%	-30.0%	-38.0%	-21.0%	-14.0%	-18.0%
Selenium Sulfide	34	35	33	38	37	38	40	40	42	39	39	37
% Chg		-6%	-3%	4%	-3%	3%	0%	-4%	-3%	-1%	-5%	-7%
Carpet	17	17	16	17	15	13	12	11	11	11	11	11
% Chg		-15%	-20%	-10%	-16%	-21%	-27%	-30%	-30%	-35%	-40%	-33%
Ketoconazole(s)*	77	82	85	91	81	77	81	80	83	79	85	84
% Chg		32%	64%	73%	-80%	-85%	-81%	-86%	-84%	-78%	-70%	-82%
Market NRx	148	155	155	171	165	149	165	162	159	150	167	165
% Chg		5%	2%	13%	-3%	-5%	9%	-1%	7%	-2%	10%	4%

LOPROX TRX												
	Dec '03	Jan '04	Feb '04	Mar '04	April '04	May '04	June '04	July '04	Aug '04	Sep '04	Oct '04	Nov '04
LOPROX TRX	29	29	30	35	33	33	34	33	34	32	34	35
% Chg				17.0%	-6.0%	0.0%	3.0%	-3.0%	3.0%	-6.0%	6.0%	3.0%
Selenium Sulfide	50	60	47	65	52	53	56	55	57	54	53	51
% Chg		20%	-18%	28%	-23%	2%	5%	-2%	4%	-4%	-2%	-4%
Carpet	31	30	27	30	28	24	23	21	21	20	21	20
% Chg		-3%	-9%	9%	-7%	-17%	-4%	-12%	0%	-5%	5%	-5%
Ketoconazole(s)*	180	127	118	133	121	117	121	121	125	120	124	124
% Chg		-30%	-8.0%	10%	-9%	-4%	3%	0%	4%	-4%	3%	0%
Market TRX	240	236	222	233	232	227	234	230	237	229	232	230
% Chg		-2%	-6%	5%	-1%	-3%	3%	-2%	3%	-3%	1%	-1%

*Ketoconazole prescriptions include both branded (NIZORAL) and the generic ketoconazole

02/18/2005
 Loprox Shampoo NPA data.xls
 LOPROX SHAMPOO NPA data

CONFIDENTIAL